

**REMARKS**

Upon entry of the present Amendment, claims 1-20 are all the claims pending in the application. Applicants have amended claims 1, 2, 9-11, and 18 and added new dependent claims 19 and 20 to more particularly claim the invention. Further, the specification is presently amended so as to be consistent with the claim amendments. No new matter is presented.

To summarize the Office Action, claims 1-2, 4, 7-11, 13 and 16-18 are rejected under 35 U.S.C. § 102(b) as being anticipated by Tsukamoto et al. (U.S. Patent No. 5,748,585, hereinafter "Tsukamoto"), claims 3 and 12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Tsukamoto in view Huang et al. (U.S. Patent No. 5,970,031, hereinafter "Huang"), and claims 5-6 and 14-15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Tsukamoto in view of Nakamura et al. (U.S. Patent No. 6,061,496, hereinafter "Nakamura"). The outstanding grounds of rejection are addressed below.

**Claim rejections - 35 U.S.C. § 102**

As noted above, claims 1-2, 4, 7-11, 13 and 16-18 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Tsukamoto. Applicant respectfully traverses and submits that Tsukamoto fails to teach all the limitations of these claims.

For instance, independent claim 1 defines a play back apparatus in which, according to a play back command from an operation section, the PCM audio data is generated from compression data in which the audio information is coded, and an audio is played back according to the PCM audio data. The play apparatus comprises, *inter alia*, a control section for conducting the control of each section of said apparatus according to each kind of commands

from an operation section; a compression decoder for decode processing the compression data, generating the PCM audio data, and successively outputting thereof; a first storage section for successively renewing the temporarily stored data successively generated according to the PCM audio data and temporality storing thereof, and appropriately repeatedly reading out the temporarily stored data which is temporarily stored, and successively outputting thereof; and a switching section for selecting either one of the PCM audio data successively outputted from the compression decoder or the temporarily stored data stored in the first storage section, and outputting thereof.

In addition, claim 1 requires when a quick traverse play back command or quick returning play back command is given by the operation section, (1) the control section controls the switching section and selectively outputs the temporarily stored data stored in the first storage section and (2) the switch section outputs a special audio data, which is an imitation sound into which the quick traverse play-back of the audio information is converted. Thus, in an exemplary embodiment, a user can easily confirm that the apparatus is performing a quick traverse by virtue of the output of the claimed special audio data. *See, e.g.*, Specification at paragraphs 114, 126, 134 and 146.

Notwithstanding the Examiner's rejection, Applicant submits that Tsukamoto fails to anticipate at least the feature of the control section controls the switching operation and selectively outputs the temporarily stored data stored in the first storage section and the switch section outputs a special audio data, as claimed, when a quick traverse play back command or quick returning play back command is given by the operating section. For instance, Tsukamoto

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teaches a disc apparatus in which a beginning portion of a selected program, or track, may be stored, or buffered, in a memory prior to a user selecting a particular track. Thus, Tsukamoto replays the buffered beginning portion of a track so as to provide a "continuous" playback during track selection. *See* Tsukamoto at col. 21, line 45 - col. 22, line 9. However, Tsukamoto's buffering of a beginning portion of a track suggests nothing about outputting a special audio data, as claimed. Rather, Tsukamoto merely buffers a beginning portion of a track, which is replayed in a normal playback mode. In contrast, claim 1 provides for outputting special data, which is an imitation sound into which quick traverse playback of the audio information is converted. Tsukamoto does not teach conversion of the quick traverse playback of the audio in the manner claimed, nor does the buffering of Tsukamoto correspond to the claimed special data. Further, neither Huang nor Nakamura compensate for the deficiencies of Tsukamoto.

Accordingly, claim 1 is believed to be allowable. Therefore, reconsideration and withdrawal of the rejection of claim 1 is requested. Further, claims 2-9 and 19 are believed to be allowable at least by virtue of depending from claim 1.

The above arguments are equally applicable to claim 10, which defines a playback apparatus reciting similar features. Thus, claim 10 should be allowed, and claims 11-18 and 20 are believed to be allowable at least by virtue of depending from claim 10.

#### **Claim Rejections - 35 U.S.C. § 103**

Claims 3 and 12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Tsukamoto in view Huang, and claims 5-6 and 14-15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Tsukamoto in view of Nakamura. Without commenting substantively

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on these grounds of rejection, claims 3, 5-6 12, and 14-15 are believed to be allowable at least by virtue of depending from claims 1 and 10, respectively.

#### **New Claims**

As noted above, new claims 19 and 20 are added to provide additional claim coverage merited by the scope of the invention. Claims 19 and 20 are believed to be allowable at least by virtue of depending from claims 1 and 10, respectively.

#### **Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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